

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PC03017-YS	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/KR2003/001902	International filing date (day/month/year) 18 SEPTEMBER 2003 (18.09.2003)	Priority date (day/month/year) 18 SEPTEMBER 2002 (18.09.2002)
International Patent Classification (IPC) or national classification and IPC IPC7 C07D 307/93		
Applicant YONSUNG FINE CHEMICAL CO. LTD. et al		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet. <input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of _____ sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 09 APRIL 2004 (09.04.2004)	Date of completion of this report 13 JANUARY 2005 (13.01.2005)
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer LIM, Hea Joon  Telephone No. 82-42-481-5600

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR2003/001902

1. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement) under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed." and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION

International application No.

PCT/KR2003/001902

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1-8	YES
	Claims		NO
Inventive step (IS)	Claims	1-8	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-8	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

1) The following document have been considered for the purpose of this report:

D1= GB0215757 (Johnson Matthey Limited Company)

D2= Heterocycles, 1998, vol.48, No.2, p2559-2571

2) Novelty

Claims 1-8 relate to process for preparing benzoprostacycline derivatives of formula (I)

Document D1 discloses preparation of benzoprostacyclin intermediates, which is different steps from reducing a ketone of cyclopentanone and substituting the alcohol of the compound of formula in claim 1. Document D2 discloses conversion of 15 B-hydroxy isomer of a m-phenylene PGI₂ derivative to its 15 a-hydroxy isomer. None of the prior art discloses five steps of preparing benzoprostacycline derivatives as disclosed in this invention.

Therefore, claim 1-8 are considered to be novel.

3) Inventive Step

Claims 1-8 disclosed a process for preparing benzoprostacycline derivatives of formula (I), comprising the steps of; (1) converting a compound of the formula IV and (2) reducing the ketone of cyclopentanone to form an alcohol compound, (3) substituting the a-alcohol in the compound of formular (V) with a halide (4) deprotecting a hydroxy protective group (5) performing intramolecular cyclization

D1 discloses that exo-enol ether moiety is converted to the inter-m-phenylene moiety, whose ring is already formed as this invention. In D2, the reduction of keto group is performed at the 15 position, whereas this invention is performed at the 9 position for intramolecular cyclization.

Therefore, the subject-matter of claim 1-8 appear to involve an inventive step.

4) Industrial applicability

The subject matter of claim 1-8 is considered to be industrially applicable.